

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

ROBERT HARPER JR.,
MICHAEL B. JAMES,
TED MORRISTON, JAMES TREADWAY,
JOHN O'NEAL & CLIFTON SCOTT,

Plaintiff,

v.

CIVIL ACTION NO.: 2:11-CV-0305
Honorable John T. Copenhaver, Jr.

ELK RUN COAL COMPANY, INC. and
SPARTAN MINING COMPANY,

Defendants.

STIPULATION AND JUDGMENT OF DISMISSAL

This day came the parties and represented to the Court that the matters in dispute between them have been compromised and settled. Accordingly, it is **ADJUDGED** and **ORDERED** that this action is dismissed with prejudice as being fully compromised and settled, each party to bear its own costs and attorney's fees.

The Clerk is directed to mail a certified copy of this Order to counsel of record.

ENTERED this 4th day of June, 2012.


HON. JOHN T. COPENHAVER, JR.

/s/ J. Michael Ranson
J. MICHAEL RANSON
CYNTHIA M. RANSON
GEORGE B. MORRONE, III

/s/ Erin Elizabeth Magee
ERIN ELIZABETH MAGEE (WVSB # 6078)
JACKSON KELLY PLLC
500 Lee Street East, Suite 1600

RANSON LAW OFFICES
1562 Kanawha Blvd., East
Charleston, WV 25336-3589
jmr@ransonlaw.com
cmr@ransonlaw.com
gbm@ransonlaw.com

G. PATRICK JACOBS
Jacobs Law Offices
7020 MacCorkle Ave., S.E.
Charleston, WV 25304
pjacobs@bjblaw.com
Counsel for Plaintiffs

P. O. Box 553
Charleston, West Virginia 25322
(304) 340-1000
emagee@jacksonkelly.com
*Counsel for Defendants Elk Run Coal
Company, Inc. and Spartan Mining
Company*